

Application No. 09/889,860
Filed: July 23, 2001
Group Art Unit: 1733

REMARKS

Claims 1-10, 12, 18, 19, 21, and 22 have been rejected under 35 U.S.C. § 102(b) over EP 913,504 (EP '504). Claims 1-12, 18, 19, 21, 22, and 23 have been rejected under § 103(a) over EP '504 in view of Japanese Patent 11-255586 (JP '586). Claims 13-15 have been rejected under § 103(a) over EP '504 further in view of Soviet Union Patent 1699755 (SU '755). Reconsideration and withdrawal of these rejections is respectfully requested for the following reasons.

Independent claim 1 as amended incorporates the subject matter of dependent claim 14 and recites the step of closing the passage by means of a plug made of thermostructural composite material. SU '755 indicates by the plain language of the Abstract that plugs 4 and 5 are each made from the same, unspecified material. Even if the abstract could be interpreted as disclosing that plugs 4 and 5 are made from the same material as the crucible, this material is graphite, which is not a thermostructural composite material. See the definition of a thermostructural composite material in Applicants' specification, page 1, lines 11-17. Thus, claim 1 is believed to be patentable over the prior art of record.

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Furthermore, the Examiner asserts that EP '504 "suggests" the presently claimed invention. For a proper anticipation rejection under § 102, however, all of the elements of the claims must be present either explicitly or inherently in the reference. MPEP § 2131. Thus, claim 1 is believed to be patentable alone or in combination with the other prior art of record.

Claim 5 as amended no longer recites phenolic resins. Thus, this claim is believed to be patentable over EP '504.

Regarding claim 7, there is no disclosure in EP '504 that the fibers have no surface treatment to provide surface functions. A reference's silence regarding a claimed element cannot be considered a disclosure of that feature. Thus, this claim is believed to be patentable as well.

Regarding claim 22, EP '504 does not disclose, teach, or suggest a protective layer made of a thermostructural composite material as defined. Thus, this claim is believed to be patentable thereover as well.

Regarding claim 23, the Examiner asserts that it is conventional to employ a single furnace and/or chemical vapor deposition for application of coatings and/or carbonization of multiple components. Claim 23, however, recites that a plurality of consolidated bowl preforms is densified simultaneously by

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chemical vapor infiltration, not chemical vapor deposition. There is, further, no indication that the recited densification of consolidated bowl preforms by chemical vapor infiltration is conventional. See MPEP § 2144.03.

Claim 13 recites a plug made in two pieces that are assembled together so as to clamp onto the rim of the axial passage in the preform. SU '755 does not disclose, teach, or suggest a plug that clamps onto the rim of an axial passage, as claimed. Thus, claim 13 is believed to be patentable over the prior art of record as well. Similarly, there is no indication of performing a final chemical vapor infiltration step after the passage has been closed by the plug, as recited in claim 15. Accordingly, this claim is believed to be patentable as well over EP '504 in view of SU '755.

Claims 16 and 17 have been rejected under § 103(a) over EP '504 in view of SU '755 and further taken with any one of Holcombe et al., Kondo et al., or Metter et al. These claims are believed to be patentable for the reasons set forth above with respect to claim 1. Furthermore, Holcombe, Kondo, and Metter do not appear to relate to chemical vapor infiltration as claimed. Thus, these claims are believed to be patentable thereover.

Claims 18 and 19 have been rejected under § 103(a) over EP '504 in view of any one of Holcombe et al., Kondo et al., or

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Metter et al. These claims are believed to be patentable for the reasons set forth above with respect to claim 1, and no further comment thereon is believed necessary at this time.

Claim 24 has been rejected under § 103(a) over EP '504 in view of SU '755 and further taken with any one of Holcombe et al., Kondo et al., or Metter et al. and further taken with JP '586. Claim 24 is also believed to be patentable for the reasons set forth above with respect to claim 1.

Claim 17 has been rejected under § 112, second paragraph. Claim 17 has been amended as requested by the Examiner.

New claims 26 and 27 recite further aspects of the present invention. Claim 26 is supported by the specification at, for example, page 5, lines 3-12, and claim 27 is supported at, for example, page 5, lines 24-36.

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In view of the above amendments and remarks, all claims are believed to be in condition for allowance, and reconsideration and indication thereof are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite prosecution of the present application.

Respectfully submitted,

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